

21 TO BE SENTENCED IN MURPHY DISTRICT

Justice to Impose Penalty To-day on Election Officers Who Confessed Fraud.

MORE MAY PLEAD GUILTY

Four Others Indicted Expected to Seek Leniency—Wider Inquiry Promised.

Justice Davis in the Supreme Court, Criminal Term, will impose sentence today on twenty-one election officials of the Twelfth Assembly district, of which Charles F. Murphy is the leader, all having pleaded guilty to ballot box frauds at the constitutional convention election held April 7. Eighteen pleaded guilty to neglect of duty yesterday. There are four more defendants in the list indicted and it was said they might avail themselves of the offer to plead guilty to a misdemeanor. The statement was made that sentence would be suspended in many of the cases.

Mr. Whitman caused a sweeping investigation to be made of Murphy's district when it appeared that wholesale frauds had been committed. As a result the Grand Jury returned eighty-eight indictments against twenty-five defendants. Two more fled the jurisdiction and cannot be located.

It was developed during the inquiry that four dead men had been voted in the district as being in favor of the convention. Several sick men who had not registered appeared as having voted. Several more registered from Bellevue Hospital were unknown there.

Both Democrats and Republicans appear in the list of defendants. Although several hundred frauds were uncovered and the vote in favor of the convention was small no steps can be taken to overturn it.

The defendants, with their positions and political parties, follow:

INSPECTORS.
William Wertheimer (D.)
Henry Hogen (R.)
Abraham Gershtein (D.)
Daniel W. Brozman (D.)
Joseph Kohn (D.)
Lee Black (D.)
Charles H. Koenig (D.)
Edward J. Stevenson (D.)
Edward H. Lown (D.)
James Lacombe (R.)
John B. Fighelz (R.)
John J. Fagan (D.)
Thomas J. Lambert (D.)
William L. Heller (R.)
John Yungling (R.)

POLICE CLERKS.
Louis Bachman (R.)
Peter Condon (D.)
Gilbert J. Bagley (D.)
August Lamb (R.)

Other Assembly districts will be examined, now that the investigation of Murphy's district is out of the way.

J. B. REGAN'S WINE SUIT PUT OFF

Friends of Ireland Ready to Fight \$1,672 Bill for Dinner.

It will not be known until next Monday whether or not James B. Regan, proprietor of the Hotel Knickerbocker, must contribute \$1,672 toward freeing Ireland, Tammany men who thronged the corridors of the City Court yesterday, hoping that the case of Mr. Regan against the friends of Ireland would get under way, were disappointed when it was announced that the case had been postponed for one week.

The society has refused to pay a bill of \$1,672 for its annual dinner held last St. Patrick's day on the ground that Mr. Regan failed to live up to an agreement to serve a brand of champagne to which the members were partial. Mr. Regan took the matter into court, and the friends are ready to fight vigorously. If they win the case they will donate the amount of the bill to the cause of home rule.

The case was to have been heard yesterday, but it was decided to put off the hearing until June 22. Thomas F. Smith, clerk of the City Court and secretary of Tammany Hall, is the president of the friends.

AUTO RUGS SAVE BANKER'S WIFE

Mrs. Turnbull Seizes and Falls on Them When Truck Hits Her Car.

Mrs. Turnbull, 58 years old, of 393 Bayswater avenue, wife of John Turnbull, a member of the firm of Laidlaw & Co., bankers, narrowly escaped serious injury when her automobile was run into by an auto truck of the Kane Brick Company at Fulton street and St. James place.

Seeing that a collision could not be averted Mrs. Turnbull stood up and grasped some heavy auto rugs. When the truck struck her machine she was hurled to the street, the robes landing underneath her. She was bruised on the face and head and her right arm was severely wounded. She was attended by Dr. Hallwinkle of the Swedish Hospital and taken home in her machine. The driver of the truck was summoned to court.

MARRIAGE SECRET WELL KEPT.

Friends Just Hear of Brooklyn Couple's Wedding in December.

Patrick J. Timoney, well known in Irish societies in Brooklyn, and Miss Genevieve S. McKamey, 23 years old, of 246 Bergen street, who also belongs to a number of Catholic organizations, were married on December 17, but it was not until yesterday that the news reached their friends.

The couple were married by the Rev. J. J. McAtee, rector of the Church of Our Lady of Mercy, and it was decided that no announcement should be made until they were ready to start house-keeping. Mr. Timoney is employed in the mail department in the Grand Central Station.

TESTIFIES FOR MAN HE'S TRYING

Ellison's Character Evidence Falls to Save Owens From Girl's Charge.

Louis Owens, for three years a process server in the office of District Attorney Whitman, was convicted of assault and abduction before Judge Mulqueen in General Sessions yesterday and was remanded for sentence. The jury found that he had lured Miss Wursen, a sixteen-year-old student of stenography, to a flat in West 19th street.

Owens' counsel, Bernard Sanders, called as witnesses Assistant District Attorneys Ellison and Ellison, as well as several clerks in the District Attorney's office. They all gave him a good character. Although Mr. Ellison was prosecuting the case, he testified that Owens always had been a good reputation.

Owens denied the charge and said he had gone to the flat with Miss Cohen, a witness in the Becker case, whom he was watching.

Owens is married and has two children. W. H. Hove, who was arrested on the same charge, pleaded guilty.

GOOD JOB FOR MURPHY'S KIN.

But Cray Is Best Man for Detective Bureau, Says Woods.

In appointing Police Captain John J. Cray, brother-in-law of Charles F. Murphy, the Tammany leader, to command the first branch detective bureau, under the new plan of directing the detective force, Police Commissioner Woods said yesterday that he did not care who Cray's relatives are. He is the man for the job, he said.

Capt. Cray will have office room in Police Headquarters. His district will comprise the entire territory south of Fourteenth street.

The plan is to have four branches in Manhattan, two in Brooklyn and one each in The Bronx, Queens and Richmond boroughs. Under this system detectives will be removed from the uniformed force. If a citizen wants a detective he will have to telephone or go to one of the branch offices.

INDORSES CALDER FOR SENATOR.

Republican Executive Committee of Brooklyn Booms Congressman.

A special meeting of the Republican executive committee in Brooklyn was held yesterday afternoon and the sole business transacted was the endorsement of Congressman William M. Calder, a candidate for the seat of Senator Root soon to be vacated.

It was expected that a resolution to endorse District Attorney Whitman as a candidate for Governor might also come up before the executive committee, as Thomas B. Lineburgh, the leader in the Fifth Assembly district, had a resolution ready for presentation. It developed, however, that there was a sharp division of opinion among the committeemen as to the advisability of considering the gubernatorial question, and it was decided to confine themselves solely to the launching of Mr. Calder's boom for the Senate.

BOMB IN ITALIAN CONSULATE.

Janitor Finds Machine, and Police Fear It Was Wrecking Attempt.

What appeared to be an attempt to wreck the Italian consulate offices, 228 Lafayette street, Sunday night failed when a bomb made of concrete, reinforced with wire and containing two and one-half pounds of black powder wrapped in black paper was found in a closet back of the elevator. The fuse had gone out.

Raffaello Fogli, janitor of the building, who discovered it, carried it to Police Headquarters yesterday for the bomb specialists to examine.

In the building, occupied mostly by Italian business and professional men, no one could be found who would admit that he had an enemy. None had received a Black Hand letter.

Inspector Egan said the bomb was very powerful and a new one to him.

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'FAMILY STRONG BOX' NOT WIDOW'S ALONE

"What's Mine Is Yours and What's Yours Is Mine" Doesn't Hold, Rules Justice.

\$150,000 HANGS ON ISSUE.

Brother and Sisters of James L. Brown Compel Mrs. Brown to an Accounting.

Surrogate Ketcham in Brooklyn decided yesterday that although a husband often told his wife during seventeen years of married life, "What is mine is yours and what is yours is mine," it does not give the wife legal title to \$150,000 worth of securities found in a safe deposit box rented in the name of both the husband and the wife upon the death of the husband.

The question as to the legal effect of such a statement by a husband was presented to Surrogate Ketcham in an accounting by Mrs. Mary E. Brown of 1252 Dean street as administratrix of the estate of her husband, James L. Brown, who for thirty-three years was a well known cotton commission merchant in New York and member of the Union League Club. He died on January 21, 1913, leaving no children. He made no will, and his only heirs were his widow and his brother, William C. Brown, a dry goods commission merchant of Philadelphia, and two sisters, Mrs. Margaret Atterholt of 3905 Locust street, Philadelphia, and Miss Elizabeth S. Brown of 1719 Pine street, Philadelphia.

Upon the death of Mr. Brown his wife applied for letters of administration and stated that his estate amounted to only \$5,000. Subsequently she was an accounting, in which she listed property worth \$32,826, and consisting chiefly of bank deposits, and which showed that the net estate was only about \$20,000. According to her accounting her husband's brother and sisters were entitled to only about \$2,500 each as their share of half the estate.

The brother and sisters understood that Mr. Brown had left a comfortable fortune and because of the meagre amount accounted for by the widow they consulted Joseph N. Tuttle, a lawyer, of 160 Nassau street. Mr. Tuttle was little impressed with the story of the brother and sisters until he looked up the records

in the transfer tax office in Brooklyn, and there found a list of railroad securities, all of high class, amounting to nearly \$150,000, which had been found in a safe deposit box in the name of Mr. Brown and his wife. The former died. The relatives at once filed objections to the accounting and demanded a half share of the stocks and bonds, which would give them about \$25,000 each instead of \$2,500.

When the proceeding was heard before Surrogate Ketcham Mrs. Brown said she accounted for nothing in the safe deposit box because she regarded it as all hers. To sustain her claim Mrs. Brown called as her only witness her maid, Kate McKee, who had been employed in the family for eleven years. The maid said she heard Mr. Brown use the words "What is yours is mine and what is mine is yours" many times; the maid also testified that she heard Mr. Brown say that there was "but one pocketbook in the family." It was conceded that the securities all belonged to Mr. Brown at the time of his death.

In rejecting Mrs. Brown's claim and directing her to account for the \$150,000 worth of securities, the Surrogate said: "The declaration of the husband that 'what is yours is mine, and what is mine is yours' is too much like the amiable nullity which the husband addresses to the bride the afternoon of their wedding. I see no endow." The one imparted to the ceremony an idle charm which the other carries into the trials of life. But neither has enough of prudence or active intention to alter rights of property."

EX-ACTOR ACCUSED OF FRAUD.

F. F. Morse, Arrested on Federal Charge, Held in \$1,000 Bail.

Frank Forrester Morse, formerly an actor, who now has a dramatic school in a two room basement apartment at 205 East Twenty-third street, was arrested by Post Office Inspector Howard B. Mayhew yesterday, accused of using the mails to defraud book publishing firms. According to the inspectors Morse paid first instalments on valuable sets of books and then pawned them. He was held in \$1,000 bail by Commissioner Houghton.

Morse says that he has been better days. The success of Marie Dressler and other prominent actresses was due to his tutelage, he asserts.

SUBWAY GRANT UP TO McADOO.

City Official Will Confer on Easement Under Federal Building.

United States Attorney H. Snowden Marshall and Le Roy T. Harkness, assistant counsel to the Public Service Commission, went to Washington last night to lay before the Secretary of the Treasury McAdoo the form of deed whereby the city hopes to get a subway easement under the Federal Building.

Local representatives of the Government and the commission are in complete agreement, but the easement cannot be granted without Mr. McAdoo's approval.



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